

**NATURE OF CHARGE:** Adulteration, Section 601 (a), the article contained a poisonous and deleterious substance which may have rendered it injurious to users under such conditions of use as are customary and usual.

**DISPOSITION:** September 17, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

### **COSMETICS ACTIONABLE BECAUSE OF ADULTERATION WITH UNCERTIFIED COAL-TAR COLORS**

**135. Adulteration of Bonaparte's Croquignole Oil, Bonaparte's Croquignole Paste, and Bonaparte's Quinine Hair Pomade. U. S. v. Bonaparte's Beauty Culture and Products Co., Inc., and Louis Bonaparte. Pleas of guilty. Each defendant fined \$150 on count 1 of the information; sentence suspended on remaining counts. (F. D. C. No. 14301. Sample Nos. 61286-F, 61287-F, 61301-F.)**

**INFORMATION FILED:** July 2, 1945, Southern District of New York, against Bonaparte's Beauty Culture and Products Co., Inc., New York, N. Y., and Louis Bonaparte, president of the corporation.

**ALLEGED SHIPMENT:** On or about February 7 and 26 and March 7, 1944, from the State of New York into the States of Mississippi and Louisiana.

**PRODUCT:** Examination disclosed that the *Croquignole Oil* and *Croquignole Paste* were colored with Butter Yellow, a noncertifiable carcinogenic coal-tar color, and that the *Quinine Hair Pomade* was colored with Butter Yellow and another noncertifiable coal-tar color, Sudan I.

**NATURE OF CHARGE:** Adulteration, Section 601 (e), the articles were not hair dyes, and they contained coal-tar colors which have not been listed for use in cosmetics in accordance with the regulations, and they were others than ones from batches that had been certified in accordance with the regulations.

**DISPOSITION:** October 1, 1945. Pleas of guilty having been entered, each defendant was fined \$150 on count 1 of the information, and sentence was suspended on the remaining 2 counts.

**136. Adulteration of Oliv-Tone. U. S. v. Great Atlantic Laboratories, Inc., and Philip Slabine. Plea of guilty by the corporation; fine, \$100. Plea of nolo contendere by individual defendant; fine, \$50. (F. D. C. No. 14273. Sample Nos. 52251-F, 65739-F.)**

**INFORMATION FILED:** February 16, 1945, District of Massachusetts, against the Great Atlantic Laboratories, Inc., Boston, Mass., and Philip Slabine, president, treasurer, and director of the corporation.

**ALLEGED SHIPMENT:** On or about December 13, 1943, and April 12, 1944, from the State of Massachusetts into the States of New York and Rhode Island.

**NATURE OF CHARGE:** Adulteration, Section 601 (e), the product was not a hair dye, and it contained a coal-tar color, Butter Yellow (Colour Index No. 19), which has not been listed for use in cosmetics in accordance with the regulations, and it was other than one from a batch that had been certified in accordance with the regulations.

**DISPOSITION:** October 8, 1946. A plea of guilty was entered on behalf of the corporation, and a plea of nolo contendere was entered by the individual defendant. The court imposed a fine of \$100 against the corporation and a fine of \$50 against the individual defendant.

**137. Adulteration of Pinol Oil. U. S. v. National Products Co. Plea of nolo contendere. Fine, \$25. (F. D. C. No. 17837. Sample No. 16229-H.)**

**INFORMATION FILED:** March 7, 1946, Western District of Wisconsin, against the National Products Co., a corporation, Eau Claire, Wis.

**ALLEGED SHIPMENT:** On or about March 6, 1945, from the State of Wisconsin into the State of Illinois.

**LABEL, IN PART:** "Pinol Oil For Scalp Treatments."

**NATURE OF CHARGE:** Adulteration, Section 601 (e), the article was not a hair dye, and it bore and contained a coal-tar color, Butter Yellow (Colour Index No. 19), which has not been listed for use in cosmetics in accordance with the regulations, and it was other than one from a batch that had been certified in accordance with the regulations.

DISPOSITION: March 19, 1946. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of \$25.

**138. Adulteration of Pinol Oil. U. S. v. 35 Bottles of Pinol Oil. Default decree of condemnation and destruction.** (F. D. C. No. 16275. Sample No. 16229-H.)

**LIBEL FILED:** On or about June 11, 1945, Northern District of Illinois.

**ALLEGED SHIPMENT:** On or about March 6, 1945, by the National Products Co., from Eau Claire, Wis.

**PRODUCT:** 35 bottles of *Pinol Oil* at Chicago, Ill. Examination showed that the product was a yellow oil colored with dimethyl-amino-azobenzene, otherwise identified as Colour Index No. 19, an uncertifiable coal-tar color which possesses carcinogenic properties.

**LABEL, IN PART:** "Pinol Oil For Scalp Treatments."

**NATURE OF CHARGE:** Adulteration, Section 601 (e), the article bore and contained a coal-tar color which has not been listed for use in cosmetics in accordance with the regulations, and it was other than one from a batch that had been certified.

**DISPOSITION:** November 6, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**139. Adulteration of Vernon Wave Set. U. S. v. 47 Packages of Vernon Wave Set (and 3 other seizure actions against Vernon Wave Set). Default decrees of condemnation and destruction.** (F. D. C. Nos. 19689, 19875, 19977, 20021. Sample Nos. 5265-H, 5530-H, 9687-H, 59864-H, 59865-H.)

**LIBELS FILED:** April 22 and May 14, 22, and 29, 1946, Middle, Eastern, and Western Districts of Pennsylvania.

**ALLEGED SHIPMENT:** Between the approximate dates of May 26, 1944, and April 8, 1946, by Vernon Laboratories, Inc., from Rochester, N. Y.

**PRODUCT:** *Vernon Wave Set*. 47 packages at York, Pa., 28 cartons, each containing 30 packages, at Pittsburgh, Pa., 55 packages at Upper Darby, Pa., and 426 packages at Erie, Pa. This product contained Ext. D&C Red No. 6, a color that may be certified but had not been submitted for certification, and Methyl Violet No. 2B (Colour Index No. 680), a coal-tar color which is not listed by the regulations as certifiable for use in cosmetics.

**LABEL, IN PART:** "Two Units Concentrate Vernon Wave Set."

**NATURE OF CHARGE:** Adulteration, Section 601 (e), the article was not a hair dye, and it contained coal-tar colors which were other than those from batches that had been certified in accordance with the regulations.

**DISPOSITION:** June 27, July 18, and September 4, 1946. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

**140. Adulteration of hair and scalp lotions. U. S. v. 9½ Dozen Bottles of New Glory French Type Bouquet Qui-Red Hair and Scalp Lotion and 8½ Dozen Bottles of New Glory Jernis Hair and Scalp Lotion. Default decree of condemnation and destruction.** (F. D. C. No. 21228. Sample Nos. 43051-H, 43052-H.)

**LIBEL FILED:** October 10, 1946, District of Columbia.

**ALLEGED SHIPMENT:** On or about July 16, 1946, by the Bon-Crest Manufacturing Co., from Philadelphia, Pa.

**PRODUCT:** 18 dozen bottles of the above-named hair and scalp lotions at Washington, D. C.

The *French Type Bouquet Lotion* contained Naphthol Yellow S (Colour Index No. 10), Azorubine (Colour Index No. 179), and a coal-tar color similar to Acid Violet 4BN (Colour Index No. 695). The *Jernis Lotion* contained Quinoline Yellow WS (Colour Index No. 801) and a coal-tar color similar to Brilliant Acid Blue (Colour Index No. 714).

Acid Violet 4BN is not listed as a certifiable dye, and no lot of the Brilliant Acid Blue (D&C Blue No. 7) had ever been certified.

**NATURE OF CHARGE:** Adulteration, Section 601 (e), the articles were not hair dyes, and they bore and contained coal-tar colors other than ones from batches that had been certified in accordance with the regulations.

**DISPOSITION:** November 20, 1946. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.